

JUDGE SWAIN

UNITED STATES DISTRICT COURT

Southern

District of

New York

PETER D. HETTINGER AND PDH
ASSOCIATES, LLC

SUMMONS IN A CIVIL ACTION

v.

NOEL KLEINMAN, REID KLEINMAN, ALPHA
BEAUTY WHOLESALERS, INC. and ALPHA
BEAUTY DISTRIBUTORS, INC.

CASE NUMBER: 08-cv-

08 CIV 6466-

TO: (Name and address of Defendant)

Noel Kleinman
345 East 80th Street, 21C
New York, New York 10075

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Peter J. Pizzi, Esq.
CONNELL FOLEY LLP
85 Livingston Avenue
Roseland, New Jersey 07068

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 21 2008

CLERK

DATE

[Signature]
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

| RETURN OF SERVICE | | |
|--|---|--------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE <i>7-24-08</i> | |
| NAME OF SERVER (PRINT) <i>Robert Durhak</i> | TITLE <i>Process Server</i> | |
| Check one box below to indicate appropriate method of service | | |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <i>8101-Tonnele Ave, North Bergen, NJ At 11:00 AM Noell Herman</i> | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. | | |
| Name of person with whom the summons and complaint were left: | | |
| <input type="checkbox"/> Returned unexecuted: | | |
| <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. | | |
| Executed on <u>7-25-08</u> Date | <u><i>Robert Durhak</i></u> <small>Signature of Server</small> | |
| <u><i>55-Belmont Drive</i></u> <small>Address of Server</small> <i>Livingston, NJ 07039</i> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.